

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 01, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STEVEN J. SNEDDEN,

Petitioner,

v.

SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR
SPOKANE COUNTY,

Respondent.

NO: 2:23-CV-00021-RMP

ORDER DISMISSING ACTION

Petitioner Steven J. Snedden, a resident of Spokane Washington, filed a document titled, "Petition for a Writ of Corum Nobus[.]" along with an Application to Proceed *in Forma Pauperis*. ECF Nos. 1 and 2.

The Court notes that in 2021, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. *See Snedden v. Strange*, No. 2:21-cv-00286-RMP. That action was dismissed on January 10, 2022, without prejudice, based on the abstention principles of *Younger v. Harris*, 401 U.S. 37, 41 (1971). ECF No. 36. Petitioner did not appeal that decision.

ORDER DISMISSING ACTION -- 1

1 Courts have power under the All Writs Act, 28 U.S.C. § 1651, to issue a Writ
2 of Error Coram Nobis. *See United States v. Morgan*, 346 U.S. 502, 512–13 (1954).
3 It is available to a petitioner to vacate a **federal** sentence or conviction and only he
4 or she has completely served the federal sentence and is no longer in custody. *See*
5 *Telink, Inc. v. United States*, 24 F.3d 42, 45 (9th Cir. 1994); *United States v.*
6 *Walgren*, 885 F.2d 1417 (9th Cir. 1989). Moreover, relief can only be granted by
7 the federal court that entered the judgment. *See United States v. Monreal*, 301 F.3d
8 1127, 1131 (9th Cir. 2002).

9 Petitioner does not assert, and this Court has been unable to find, any federal
10 criminal judgment against Petitioner filed in the U.S. District Court, Eastern District
11 of Washington. Consequently, coram nobis relief is not available to Petitioner as he
12 was not sentenced by this Court. Therefore, **IT IS ORDERED** the Petition is
13 **DISMISSED without prejudice** and the application to proceed *in forma pauperis* is
14 **DENIED as moot**.

15 **IT IS SO ORDERED.** The District Court Clerk is **DIRECTED** to enter this
16 Order, enter judgment, provide copies to Petitioner and **CLOSE** the file.
17 The Court certifies that an appeal from this decision could not be taken in good
18 faith and there is no basis upon which to issue a certificate of appealability. *See* 28
19 U.S.C. §§ 1915(a)(3), 2253(c); Fed. R. App. P. 22(b).

20 **DATED** February 1, 2023.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Senior United States District Judge